

**REPORT
of the
AD HOC COMMITTEE
TO INVESTIGATE DISCRIMINATION
AGAINST RELIGIOUS AND ETHNIC
MINORITIES IN GERMANY**

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OCTOBER 1996

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EXECUTIVE SUMMARY

Between the 25th September and the 1st October 1996 an ad hoc committee consisting of Lord McNair, Lord Hylton (both members of the House of Lords), Antony Flew (Professor Emeritus of Philosophy at Reading University), Dr. Dennis O'Keeffe (senior lecturer in the Sociology of Education at the University of North London) and David Rosser-Owen (writer and lecturer on religious affairs) travelled across Germany in order to gather evidence pertaining to discrimination against ethnic and religious minorities. This report represents the combined view of all members of the AD Hoc Committee.

The German word *Sekte* or its plural, *Sekten*, have been used throughout this report to denote the German designation for most of the minority groups on which the report has focused. All the documents referred to in the text and listed in the Endnotes but which are not widely available in the public domain are available from the Ad Hoc Committee, through Lord McNair at the House of Lords, London, SW1A 0PW.

Representatives of 17 groups, numbering from one to five individuals, were interviewed about their experiences of discrimination and/or intolerance, the source of these and the mechanisms by which they were carried out. After this Summary we have made certain recommendations as to how the situation may be prevented from deteriorating further.

We have to say from the outset that we were completely unprepared for the sheer scale of prejudice, discrimination and even persecution which our witnesses recounted. What has astonished us is that in a rich, democratic country certain rather unpleasant things seem to have been happening to members of what are officially categorized as "sects" or *Sekten*.

We had in mind while compiling our report the standards for behaviour towards members of minority groups set forth in the *International Covenant on Civil and Political Rights* and the United Nations *Declaration on Eliminating All Forms of Intolerance and Discrimination Based on Religion or Belief* as well as human rights standards covered broadly in the *Universal Declaration of Human Rights* and the *European Convention on Human Rights*.

We found incontrovertibly that, in respect of the minority groups whose representatives we interviewed, the relevant parts of these instruments concerning minori-

ties and religious freedom are, in Germany at the present time, subject to severe lapses in application even though the government has a direct responsibility to enforce the human rights standards established by international instruments and to intervene where necessary in order to do so.

Representatives of the Ministry of the Interior and the Ministry of Justice adopted the position that there was no discrimination in Germany and that even if it did exist the court system was available to those who felt they were being discriminated against. This increased our concern that the German government was neither facing up to nor fulfilling this responsibility.

The officials we spoke to seemed to regard the governmental and parliamentary activity and the hysterical media attacks against minority religions and philosophies and the attitudes which that hysteria has engendered in the population as perfectly normal. This worried us because under the German Constitution it is not the business of the State to take issue with the beliefs of individual religious or philosophical (*Weltanschauung*) minorities. The Constitution guarantees members of these minorities certain rights to freedom of expression and belief and the government should be acting decisively against interference with these rights.

Within the political, administrative and church structures there are "anti-*Sekten* commissioners" (in German, *Sektenbeauftragter*). Although the German Constitution clearly obliges the government to refrain from giving an opinion or judgement about religious matters these official "anti-*Sekten* commissioners" are government officials, paid from State finances.

The work of their church counterparts, the anti-*Sekten* priests (Catholic) and pastors (Lutheran), although not paid for directly by the State, mirrors that of the official government "anti-*Sekten* commissioners". (It was difficult for us to disentangle the precise chains of responsibility under which they all operate but the result of this melee of anti-*Sekten* activity is an environment which is extremely hostile towards non-established religions).

The "anti-*Sekten* commissioners" and priests/pastors publish written material and make public statements which claim, amongst other things, to show the public and other officials how to "recognize" members of sects. "Characteristics" of sect members are said by govern-

ment officials to include such peculiarities as "having no friends", "being humourless", and "having frequent short holidays". In the case of one group, literature published by the government claims that members of the group can be identified by sudden changes in body weight and distinctive beard growth.

The German State is spending millions of deutschmarks per year on "anti-Sekten" personnel, propaganda and related actions; some estimates go as high as 100 million. Our witnesses complained that government officials have no interest in dialogue with members of their groups. They also claimed that official reports are completely one-sided and uniformly negative. There are several *Sekten* brochures in preparation but some of the groups are making legal challenges to their inclusion. The reason for these court actions may be the risk that the legal provisions of the data protection legislation, a cornerstone of German democracy, would be denied to members of the groups so included.

This follows from another example of discrimination in the State of Schleswig-Holstein where a document collection centre and enabling legislation gives the state government the right to collect and disseminate sensitive personal information and reveal the identities of individuals associated with minority religions and philosophies to any person or organisation in order to ensure that the government's policy of blacklisting and ostracising members of minority religions is implemented effectively. This strategy violates core data protection principles and creates a substructure of second class citizens, classified by their philosophy or religious beliefs.

There is, in truth, no difference in principle between incitement to racial hatred by extreme right wing groups and incitement to religious intolerance by extremist anti-*Sekten* groups.

Therefore it is wholly appropriate and indeed vitally necessary for state prosecutors to investigate and to prosecute vigorously all violations of paragraph 130 of the German *Penal Code*, which makes it illegal to attack the basic dignity of members of groups of the population or to incite hatred or undertake arbitrary government actions against persons or groups, and paragraph 166 which makes it illegal to insult a religious denomination.

We suggest that the German state governments include in the school curriculum special courses to help young people develop an understanding of, and

sensitivity towards, members of all categories of minority group. This proposal contrasts with the present situation in which teachers are instructed to give out derogatory information which can only incite the young people to bigotry.

One of our recommendations is to urge the government to establish a forum where constructive dialogue takes place between government and minority religions and philosophies. Where there are anxieties about the purpose and intentions of groups, these should be discussed in an atmosphere which is conducive to honest and open discussion, respect for the law and existing social values - always bearing in mind basic human rights principles incorporating freedom of religion, thought and belief.

The criminal law is surely sufficient to prosecute and punish wrong-doers. It should be used to prosecute where there is evidence of a breach of existing criminal law. Vague and unsubstantiated allegations against minority groups in the absence of any evidence of law-breaking should cease forthwith.

The purpose of our report is to provide constructive criticism and achievable recommendations in order that the German government can ensure that improvements occur. European nations are moving closer and closer to each other and it is important that matters such as we have brought to light are fully resolved so that Europe can leave the past behind and enter the 21st century on a strong democratic foundation.

RECOMMENDATIONS

GOVERNMENT AUTHORITIES

1. There is, in truth, no difference in principle between extremist right wing groups inciting racial hatred and extremist anti-*Sekten* groups inciting religious hatred. Therefore it is wholly appropriate and indeed vitally necessary for state prosecutors to investigate and to prosecute vigorously violations of paragraph 130 of the German Penal Code, which makes it illegal to attack the basic dignity of members of groups of the population or to incite hatred or arbitrary government actions against persons or groups, and paragraph 166 which makes it illegal to insult a religious denomination.

2. We urge the government to establish a forum where constructive dialogue takes place between the government and minority religions and philosophies. Where there are anxieties about the purpose and intentions of groups, these should be discussed in an atmosphere which is conducive to honest and open discussion and to respect for the German Constitution and for basic human rights principles covering the freedom of religion, thought and belief.

3. The criminal law is surely sufficient to prosecute and punish wrong-doers. It should be used to prosecute where there is evidence of an infringement of existing criminal law. Vague and unsubstantiated allegations against minority groups where there is no evidence of law-breaking should cease forthwith.

4. The government should build on existing training programmes for public prosecutors and judges which are designed to develop sensitivity to racial differences in order to ensure that the constitutional protection applies to religious minorities as well. (As we show later in our report, the reverse of this is occurring in certain instances).

5. We suggest that the German State governments include in the school curriculum special courses to help young people develop an understanding of, and sensitivity towards, members of all categories of minority groups.

6. Political parties should refrain from attempting to gain political advantage from the "so-called *Sekten*" issue, thus sensationalising it still further.

MEDIA

7. German media monitoring bodies should examine carefully the balance in reporting of this area. They should treat with urgency any complaints received and provide a genuine forum to address unequal and unfair treatment. They should also develop awareness within their own executives and employees of religious freedom issues. (In present day Germany the word "sensitivity" has been subverted to mean "agreement with the prevailing mentality of attacking minorities").

ESTABLISHED CHURCHES

8. The hierarchy of both established Christian denominations must urge and educate the priests and pastors under their responsibility to respect the religious beliefs of others. In the case of the Catholic Church, for example, the Vatican II declarations already contain clear pronouncements concerning respect for other religions. The European and World Council of Churches have also made various statements about respecting the beliefs of others.

INTRODUCTION

Between the 25th September and the 1st October 1996 an ad hoc committee consisting of Lord McNair, Lord Hylton (both members of the British House of Lords), Antony Flew (Professor Emeritus of Philosophy at Reading University), Dr. Dennis O'Keefe (senior lecturer in the Sociology of Education at the University of North London) and David Rosser-Owen (writer and lecturer on religious affairs) travelled across Germany in order to gather evidence pertaining to discrimination against ethnic and religious minorities.

The members of the committee were initially alerted to the possibility that such discrimination was occurring and on such a disturbing scale by statements made in various documents, *inter alia*, the 1994⁽¹⁾ and 1995⁽²⁾ reports to the UN from the United Nations Special Rapporteur on the *Application of the Declaration on Eliminating all Forms of Intolerance and Discrimination Based on Religion or Belief*, the *Handbook on Religious Liberty Around the World* published by the Rutherford Institute in Charlottesville, Virginia, USA⁽³⁾ and a 1995 publication by Helsinki Watch/Human Rights Committee entitled "*Germany for Germans, Xenophobia and Racist Violence in Germany*".⁽⁴⁾

Representatives of 17 groups numbering from one to five individuals were interviewed about their experiences of discrimination and/or intolerance, the source of these and the mechanisms by which they were carried out. All were solely religious minorities except for VPM, the Centre for Turkish Studies and the Kurdish Information Centre. The delegation heard numerous accounts of individual discrimination and received written accounts of others which totalled over one hundred instances - more than enough to establish that a worrying pattern exists.

We also met officials from the Federal Office for the Protection of the Constitution at the Ministry of the Interior and from the Ministry of Justice.

The committee was satisfied with the credibility of the personal testimonies and in many cases received documentation which supported the statements made. Extensive additional documentation was received from people and groups interviewed. Their credibility was in any case underscored by their consistency and number of similar testimonies.

We had in mind while compiling our report the standards for behaviour towards minority groups set forth in

the *International Covenant on Civil and Political Rights* and the United Nations *Declaration on Eliminating All Forms of Intolerance and Discrimination Based on Religion or Belief* as well as human rights standards covered broadly in the *Universal Declaration of Human Rights* and the *European Convention on Human Rights*.

We found incontrovertibly that, in respect of the minority groups whose representatives we interviewed, or from whom we received written evidence, the relevant parts of these instruments concerning minorities and religious freedom are, in Germany at the present time, subject to severe lapses in application, even though the government has a direct responsibility to enforce the human rights standards which are established by them, intervening where necessary in order to do so.

Our purpose in publishing this report is to help the German government to avoid problems which the present political and social drift may cause in the future. Most of those we interviewed represented religious minorities. It was the Turks and the Kurds who presented problems to us specifically relating to ethnicity although they also constitute religious minorities. A section is devoted to these groups.

Chapters I, II, XI, XII of "*Germany for Germans*" by the Helsinki Watch/Human Rights Committee, particularly Chapters XI, *Building a Tolerant Multi-Cultural Society*, and XII, *The Legal Standard*, have been helpful. Chapter XI indicates to us the depths of the German government's departure from this standard. The easy predisposition on the part of ordinary Germans to adopt and give expression to an intensely discriminatory viewpoint means that racism and religious intolerance are present as cultural phenomena.

They are also entrenched in the legal basis of citizenship. In Chapter XII of the same publication, the point is made that enfranchising the "foreigners" (many of whom in Britain would be citizens as of right) would at least mean politicians had to listen to their voters' political voice. We agree with the authors that this is a prerequisite for improvement in respect of the safety and social and political rights of ethnic and religious minorities.

The most chilling phenomenon we encountered was the assumption by officials that current attitudes by them and by ordinary Germans towards minorities in Ger-

many are in some way normal. It is not legitimate for the State to take issue with the beliefs of individual religions or with the world view - "Weltanschauung" - of minorities. The German Constitution guarantees them certain rights in respect of freedom of expression and the government must act decisively against interference with these rights.

We have to say from the outset that we were completely unprepared for the sheer scale of prejudice, discrimination and even persecution which our witnesses recounted. Our initial reactions were astonishment and perplexity. What has astonished us is that, in a rich, democratic country - a country which has adopted the *International Covenant on Civil and Political Rights*, the *Universal Declaration on Human Rights* and the *European Convention on Human Rights* and whose Constitution has strong human rights provisions - certain things seem to have been happening to members of what are officially categorized as so-called "*Sekten*".

What has perplexed us is what are offered as reasons for treating members of these *Sekten* as pariahs. Whilst we are making points about the meanings and implications of words we may perhaps usefully add that Dr Schoen told us that in German "*Sekte*" used to be a neutral term but has in the last quarter of a century, or thereabouts, become unfavourably suggestive. (It has always been offensive to label any set of Christians a sect; the neutral term is 'denomination').

However we had already received some very disturbing documents relating to the banning of sects by Hitler in the thirties and forties. These cast doubt on the newness of the word "*Sekte*" as a pejorative term and are available from the Committee. In fact, it should be remembered that the Jews were also targeted as a "*Sekte*" at that time. There is clearly a greater variety of religious minorities in Germany sixty years on, and some of them may be viewed as perhaps more exotic than those existing then, but it was more than a little eerie, having read these documents, to be sitting with a senior German official of the Interior Ministry discussing the 'problem of *Sekten*'.

For reference, we quote from *The Small Religious Communities*, (author unknown) which was quoted as coming from the *Magazine for Evangelic (Lutheran) Church Law 1953/54, Vol 3*. The Chapter is entitled *Small Religious Communities in the State Church Law of the National Socialist Regime*.⁽³⁾ Pages 235-236 name the religions banned by the Nazis. They number twenty four and include, with dates of the banning orders, the Baptists (24/6/35), the Seventh Day Adventists (24/04/36), the Bahai Faith (21/05/37), Christian

Science, 14/07/41, Anthrosophical Society (20/03/37), Theosophical Society (20/03/37). About the first named, the Geheime Staatspolizei (Gestapo) wrote "The Community of the Baptists with its doctrine is apt to have damaging, confusing and misleading effects on the population". (For the modern counterpart of this policy see paragraph 8 of Section A of Sources of Discrimination).

It must be said that on the whole, and thus far, a strong legal system exists, based on the principles of the Constitution. There were some reports (detailed later) of attempts by the government to influence the independence of the judiciary on the subject of minority religions but the delegation saw that the integrity of the judiciary was largely maintained.

However from the officials we met we received the inescapable feeling that we were being told either "Hitler got it wrong in the way he dealt with sects but we have not and we are setting about it in a strictly legal way", or that "Hitler was right about sects but he did not finish the job". Either way the implications of the mind set are chilling. We have the impression that "so-called *Sekten*" are seen as an untidiness on the German social and religious landscape.

SOME INDIVIDUALS AND GROUPS INTERVIEWED

The following are summaries of the evidence from a selection of those whom we interviewed.

Charismatic Christians

The delegation took evidence from Pastor Terry Jones, and co-Pastor Charles Robinson of the Christian Church of Cologne. This is an active Charismatic Christian church which has been ministering to the people of Cologne for many years and has an attendance of about 1,200 people during the course of a weekend. They reported an intense media campaign to discredit them coupled with an attempt to remove their tax-free status. *Charisma Magazine*'s November 1995 issue⁽⁶⁾ quotes Pastor Jones as saying "The Government here is very unaccommodating; it is very anti-God. The only recognised churches are the Lutheran and Catholic Churches. Everything outside of that is considered a cult" and also "Things are a little bit more sophisticated now [than at the end of World War II]. But you feel the same oppression, the same control. The German attitude is 'Unless you are like we are, we will rub you out'".

We were told that their religious doctrine was no different to that of "several well-loved churches in England such as Holy Trinity, Brompton, Kensington Temple, The Vineyard Churches" but they have been targeted as an extremist "Sekte" and have received bomb threats. The Pastors have been threatened that they will be shot and Pastor Terry Jones has actually been attacked with a knife. Since the media campaign against them and their Church began, they have been subjected to biased and antagonistic media reporting and now refuse to even speak to representatives of the media because they have lost all hope of being accurately reported. We doubt that the violence and threats of violence would have occurred in the absence of such negative media coverage.

The most disturbing situation Pastor Jones described is the attempt by the Cologne authorities to remove their tax-free, i.e. charitable status. The Church has received a de-registration order which stated that "they did not contribute to the cultural, religious, social or spiritual value of German society". This appears to the Committee to be a rather arrogant position for the state authorities to adopt in respect of another's religion. It certainly violates the principle of state neutrality. Pastor Jones and his colleagues are now engaged in a court battle to reverse this decision.

There were other reports of similar cases of discrimination from other Christian churches.

VPM - Verein zur Foerderung der Psychologischen Menschenkenntnis

(The Association for the Advancement of Psychological Understanding of Human Nature)

VPM is a group consisting mainly of professionals such as teachers, lawyers, parents, theologians, doctors, psychologists and people from various other callings who are interested in the concerns of psychology and education. They told us that "the work of VPM stands in the tradition of Alfred Adler's Individual Psychology, cultural anthropology and developmental psychology. New findings of results and research are incorporated into VPM's work."⁽⁷⁾ The main focus is on psychological teaching and socio-ethical matters of general interest. Special consideration is given to the findings of research into ethics and the formation and preservation of values. The Association and its members are orientated towards Christian values and are committed to the democratic system based on the rule of law."

They oppose drug use and experimentation and want to improve educational standards within the education system. They are also strongly in favour of the traditional family. There was nothing exceptionable or dangerous about this group's ideas or work for which they could be reproached. They are a secular pressure group, comparable to the British *Campaign for Real Education* with which they have close links. VPM and CRE are both members of the European Association *Mut zur Ethik (Courage to Take a Moral Stance)* which comprises 27 member organizations and was initiated by VPM. It would be legitimate to have a different view on educational policy matters but it is not legitimate to stifle democratic debate in the oppressive manner which we go on to describe.

VPM has become enmeshed in the network of "anti-Sekten priests" and "anti-Sekten commissioners" (see section on Sources of Discrimination below) because their stand against drugs runs counter to the views of some powerful proponents of drug legalization. They have been viciously attacked in the media as a "Sekte". (See "Specific Political Opposition" in "Sources of Discrimination")

We were told that the names of those attending VPM conferences have been collected and circulated to the

state education authorities of Zurich and then filtered into Germany. Known members have been refused civil servant status (which is almost unheard of) because of their association with this group. Cases were cited where existing teachers whose membership becomes known were told that they would never be promoted to head teacher grade, and would never be appointed as drug counsellors. VPM's experience illustrates the way in which the media and the political forces collaborate to maximise pressure on these minority groups.

In summary, its opponents have stigmatised VPM with the convenient propaganda label of "Sekte". The authorities, the public and the media have unhesitatingly accepted this designation, thus underlining the completely biased and blind acceptance of this label by society as a whole, in present day Germany. It is the government's responsibility to exert moral leadership and uphold democracy and this is simply not happening.

The National Council of Jews

The Committee met the Chairman of the National Council for Jews, Herr Ignatz Bubis, at the Bundestag (the German Parliament). It is clear that Herr Bubis has established an excellent working relationship with individual members of the Bundestag and was warmly greeted by every Member of Parliament he met. It was also evident that the government has paid considerable attention to his personal security as there were evidently concerns about this. The Jews, he told us, are well organised and all recognise the National Jewish Council as speaking on their behalf. From the end of World War Two until reunification the Jewish population was about 30,000. After reunification this increased to 60,000 as a result of immigration from the former Soviet Union countries.

He also clarified a difference in the meaning of two German words. He said one must listen carefully to the language they use. There are gradations of dislike. The word "Auslaender" means literally "foreigner". This is applied to the British, Swiss and French for example. Non-whites, Roma and Sinti and presumably members of religious minorities are "Fremde" or "strangers". Presumably this means that the non-white minorities in Britain would count as "Fremde" even though they are mainly British citizens and are now mostly so by right of birth in the UK. He said that the problem with Germans is that they hate "Fremde".

However he said that in his estimation only about one half a percent of Germans are out and out Nazis. A further 40% are xenophobic and the balance are tolerant although he did qualify this last adjective by saying that

perhaps the word should be "indifferent". His focus is very much on the events earlier in the century which we, of course, were not in Germany to investigate. He did say that the course of history could have been different if the situation had been handled before 1935. After that it was too late to do anything to change the unfolding course of events.

In the months following reunification there were reports in the British press that skinheads were responsible for terrorising foreigners, *Gastarbeiter* (guest-workers), asylum seekers and the disabled. We asked Herr Bubis about this phenomenon. He told us that the number of skinheads was very low. Government approved statistics show that the number of skinheads who are trouble makers is about 6,500. 90% of them are under thirty years old and 80% are under the age of twenty one. He said that it is not they who are the danger, it is the "skinheads in nice suits" (a quote from the author Gunter Grass) - the ideological anti-Zionists - and that the level of intellectual support for these ideas has increased greatly in the past few years. However, rather than talk openly in support of fascist ideas, these people focus on the subject of "law and order".

We asked Herr Bubis about the situation of other groups. He said there are about 100,000 Buddhists, mainly from Japan, India and Kashmir, and most live in Dusseldorf but that they have little influence because they are not organised. We did in fact arrange to meet people from one Buddhist group but they were unable to keep the appointment.

Herr Bubis expressed sadness that the Muslims were not as organised as the Jews and said that he had tried to help them to speak with one voice but his efforts had not so far been successful. He has a good working relationship with the Catholic Church. He also mentioned that he was asked by the CDU Young Union to be a member of a tribunal they were setting up in order to attack Scientology but he declined because it was not his problem and he did not want to be involved with it. Asked about the cases of cultural and artistic discrimination we had encountered and the parallels with the 1930s he said that Germans have to have someone to hate.

The Rutherford Institute reported in its 1996 survey of *Religious Liberty Around the World*, that the President of the Israeli Cultural Society reported that her members have had their tyres slashed and "receive death threats in the mail and on the phone 'on a regular basis'." Criminal anti-Semitic acts rose from 367 in 1991 to 562 in 1993 and 1366 in 1994. Attacks on Jewish property for the first nine months of 1994 were 937, more than 16

times the total for the full twelve months of 1991.

Unification Church

The Unification Church was founded by the Rev Sun Myung Moon in the 1950s. The German Church began in 1964 and now has 850 members. Our witnesses described various problems with the German authorities. In 1978 the Finance Ministry revoked their tax exemption - their charity status, which they contested. The case reached the Constitutional Court in 1992 with the decision still standing. The courts examined the teachings of the Unification Church and found points in their 21 principles to disagree with. The academics the Unificationists called on as expert witnesses for the Constitutional Court assured them the decision of the lower court would be overturned. However after two years they were told that one document was missing and so the case was dismissed and their charitable status was lost on a technicality.

Another situation which they described in detail was the decision by the Foreign Ministry not to allow the Reverend Sun Myung Moon to enter Germany. They told us that government officials put in long hours working through the night to persuade all the other Schengen countries to follow suit by placing him on the "Schengen List". The Unificationists' lawyers started a "fast track procedure" court action to counter the government action but it was not successful and they had to revert to a more usual and longwinded procedure to obtain justice as they saw it, but by then they could only hope to establish the principle that the ban had been wrong as the event has long since passed.

The Unificationists also wanted to start a kindergarten for their members' children but were told their proposed kindergarten teacher was unsuitable, despite the fact that the person was fully qualified. In common with other witnesses the Unificationists feel that life is deliberately made difficult for them by Federal and State authorities and that they then have to go to court to secure their constitutional rights.

The Church of Scientology

Scientology seems to be the most frequently attacked of the minority religions, perhaps because it is also the biggest. The attention devoted by the German State and certain officials to 'eradicating Scientology' (the words of a CDU Young Union official, not those of the Committee) was extensively documented. The placing of Scientology 'in the cross hairs' was commented on by the witnesses from the Unification Church and Sri Chinmoy. It was suggested to us by witnesses that the

State and Churches are targeting Scientology as a prelude to, and an excuse for, the destruction of religious freedom for all religious and philosophical minorities in Germany.

The Scientologists we met presented the delegation with a detailed and well researched briefing. They provided a sampling of incidents of discrimination against their Church and/or individual members. This covered some 60 documented examples of discrimination and included an updated "Volume 2" of their publication from earlier this year called "*Religious Apartheid 1996*"⁶. The fact that they felt the necessity to update it only months after it was first published is an indication of the deteriorating situation they experience.

They told us that in September of 1994 the Federal Minister of Employment and Social Order, Herr Bluem, issued a decree which stated that no Scientologist could obtain a licence to operate an employment agency. This directive was not based on any evidence of criminal or civil wrongdoing. It accused Scientology of being a "criminal association." This charge was eagerly taken up by the media because of Herr Bluem's high public profile, but the Church has been convicted of no crime. We were told that, despite years of intensive investigations by German authorities, no evidence of wrongdoing has come to light. Even so, this ban was put in place, according to Bluem, as part of a "determined fight" to ban Scientology in Germany.

Mrs Claudia Engel, from Frankfurt, who started an employment agency for au pairs, is a casualty of this ban. The State Labour Office of Rhineland-Pfalz sent her the "Sekte filter" form and demanded that she acknowledge her affiliation with Scientology and thereby disqualify herself from obtaining her licence or execute a declaration swearing that she had never participated in Scientology and that she disapproved of its teachings. She refused to do this and her licence was revoked on the grounds that she was too "unreliable" to run an employment agency because of her association and beliefs.

After bringing the issue to court she was able to regain her licence with a preliminary injunction because the court found that there was no substance to the general accusations made against Scientologists by the Minister of Employment and Social Order on which the issuance of the "Sekte filter" decree was based. The main case has still to be heard. Since we returned from Germany we were informed that the Social Court in Nuremberg ruled in another case that denial of such a licence to a Scientologist, on the basis of his religion, is against the law.

We also received a copy of the application form to become a member of the Christian Democrat Party.⁽⁹⁾ There are two preconditions for membership. One is common to all such application forms known to the Committee and states that the applicant is not a member of any other political party. The other is a declaration that the applicant is not a Scientologist. We were told that all other major political parties took a similar line. In other words, a German Scientologist may not participate in the democratic process as a member of any of the main political parties.

Scientology also provides the best illustration of the way the courts system is used to tie up the attention and resources of minority groups. It is quite true of course, as Dr Schoen said, that the courts system is available to anyone who feels their constitutional rights are being violated. However the German Churches of Scientology and individual Scientologists currently have about 70 court cases in progress and approximately another 120 administrative proceedings pending with government agencies.

This legal morass is further complicated because Germany has court systems for various branches of law comprising civil/penal, labour, administrative and tax law spread across the sixteen States with one Federal Supreme Court for each of the branches of law. It shows how, in the absence of good will, even the best legal system and constitution can be abused. They also pointed out to us how unfair it is that they and other minority groups are compelled to fight for their existence in the courts but when they do they get accused of being militant and litigious.

If one takes into account the following parts on "Education and Advanced Training for Prosecutors and Judges" and the "Document Centre on Minority Religions" (from section on Sources of Discrimination) one has to conclude that the authorities intend to ensure that, over a period of time, both the legal framework of human rights and the 're-educated' attitude of the judges make the position of nearly all religious minorities untenable as a result of the erosion of previously high judicial standards.

The huge number of court cases in which this Church (and others) and its members are involved would, if they win the cases, indicate constitutional violations on a very large scale on the part of the German authorities. The German government put forward the rather disingenuous view that as all these cases are in progress they cannot comment. It is precisely the large number of occasions on which such disparate groups feel the need to have recourse to the courts to establish their rights

under law that makes it clear that something is very wrong. The time that cases take to wend their way through the different levels of court places a further burden on these very small groups of devotees. (The Oshos, followers of an Indian meditation teacher, who consider themselves to be "religious, but not a religion", have been pursuing a court case they feel is important to the survival of their movement in Germany for twelve years).

The Scientologists gave us a copy of an interesting internal CDU document.⁽¹⁰⁾ It describes the discussion within the CDU about Scientology. The document advances the view that the membership of Scientology is incompatible with membership of the CDU. Scientologists believe in the spiritual nature of mankind and that the soul is separate from the body. According to the CDU document this is incompatible with the CDU membership because it puts the individual above the state.

On the face of it the CDU view of religion would appear to be heretical in terms of almost all traditional Christian teaching. Catholics and Protestants alike have always held that the soul and body are different and separable entities. There is also, however, a purely secular worry. Traditional Western political theory surely maintains that the State serves the interests of individuals not vice versa. The CDU document therefore also offends in a purely secular, political sense.

The Committee members each have different religions or beliefs but clearly the truth about matters of life and death exists independently of what each person or any political party chooses to believe. Setting the authority of the state above individual spirituality in this very materialistic way bodes ill for the future of human freedom.

The approach adopted by the CDU in this matter has an alarmingly Bismarckian echo. Perhaps it is time for the peoples of the democratic nations to reaffirm the basis of the values by which they govern themselves and to rededicate themselves to upholding those values.

Sri Chinmoy

From the oral and written evidence submitted by the followers of Sri Chinmoy, a philosopher, athlete and meditation teacher from India, we discovered that they are dedicated to achieving world peace by spreading a peace message through literature, art, music and athletics and through meetings with world leaders. They have 150 to 200 members in Germany.

The book that the followers of Sri Chinmoy brought

with them contains pictures of his meetings with some of these world leaders and includes their messages to him.⁽¹¹⁾ Pope Paul VI told him "This meeting of ours has been most essential. Your message and my message are the same", and from Pope John Paul II, "I am very grateful for your visit. God Bless You and all your contemplative activities".

His followers apparently do not receive as warm a welcome in Germany. The witness from Sri Chinmoy told us "We make ourselves visible and they shoot at us from the forest", in talking about the bureaucratic obstruction which his movement experiences.

They express their love of life and their devotion to their leader's quest for peace in the world by organising concerts and marathon running and other athletics events. The facilities they need for these are almost all within the gift of local authorities. They recounted instances where concert venues and sporting facilities are closed to them for no apparent reason. On one occasion they organised a marathon run only to find that they were not allowed to use the showers at the sports centre. The City Council of Cologne has decided that no public rooms were to be let to Sri Chinmoy groups.

In their evidence to the Committee, they identified the source of the attacks on their movement mainly within the Lutheran Church (EKD). They said that when governments (ie state governments and the Federal government) publish negative material or make discriminatory statements about them it is usually on the basis of the "arguments and 'proofs' provided by the fanatical apologetics of the EKD". The most prominent anti-*Sekten* groups which they identified were AGPF-Bonn and Sekten-Info Essen.

They also stated that "many such '*Sekten-Beauftragte*' are indeed fanatical haters of other beliefs and who also consider themselves as offensive apologist(s) of their own belief. There is however criticism inside the church against the reckless intolerance propagated by such '*Sekten-Beauftragte*' as Pfarrer (pastor) Gadow, Berlin, (and) Pfarrer Keden, Duesseldorf."

The following government bodies have included Sri Chinmoy in discriminatory reports: Rhineland-Pfalz Landtag (parliament), Schleswig-Holstein Landtag, Senatsverwaltung fuer Schule (school administration), Youth and Sport Berlin, Landesstelle Jugendschutz (the State Office for the Protection of Youth) of Lower Saxony, Thuringen, Schleswig-Holstein, Hamburg and other local authorities. The Committee members were amazed at the time, money and effort being devoted to hounding this tiny organisation of under 200 members.

Professors Konrad Loew and Walter Krumholz

The delegation interviewed two distinguished academics - Professor Loew from the University of Bayreuth and Professor Krumholz from the University of Berlin. Both are appalled at the tragedy which is engulfing their country. Both have studied new religious movements and their members in Germany. They made two main points.

Firstly, they have each come to the same conclusion as academics in other West European countries and in the United States, that the concepts of brainwashing and mind control are not a valid theoretical construct for viewing new religious movements or denominations and they simply do not work in practice. Even using the most simplistic argument it is obvious that if they were valid techniques the groups which used them would make and keep far more converts than they do. Most of the groups we interviewed had a minuscule membership of hundreds or at most a few thousand. Even Scientology, with a reported 30,000 parishioners only makes up 0.04% of Germany's population.

Secondly, they said, the accusations made against these groups are simply witch hunts which echo the Germany of the 1930s. They say that the damage that this is doing to German society makes them extremely pessimistic about the future of their country. The pain they feel at this conclusion was evident in their words and in their faces. They themselves have also experienced ostracism within their own communities and Professor Krumholz was anxious about the effects of social ostracism on his family were he to be too outspoken. Professor Krumholz met Ms Renate Rennebach, the SPD's sect expert and was amazed to hear her express her determination to have Scientology banned despite the fact that she openly admitted that the Church had been thoroughly investigated and found not to be involved in any criminal activity.

Professor Krumholz also described a meeting with Ms Renate Rennebach, the SPD's "anti-*Sekten*" commissioner. She expressed her frustration that she could not find anything incriminating about Scientology but she was determined to find a way to ban them in Germany.

Orden Fiat Lux

Our witness was Herr Eicke the husband of Uriella, the leader of this Christian spiritual healing group.⁽¹²⁾ It has about 700 members in Germany, Austria and Switzerland and was founded in 1977 by Uriella who is a spiritual healer. He told us that she heals all kinds of

illness with the power of God, while in a trance. They have a centre in Austria, one at Egg near Zurich and one in the south of the Black Forest.

The active discrimination against them began in 1992 with an hour long TV programme which was repeated several times in rapid succession. He told us that it started innocuously enough with interviews with Uriella and himself but in the second part of the programme it was alleged that she was responsible for the deaths of three people in Germany in 1988. Herr Eicke explained that she never treated any of the three. They all asked her to treat them but she was in Switzerland and they were too far away. Instead, she advised them to see a doctor. The programme was followed by a great media interest in Orden Fiat Lux and was repeated in several other European countries.

Three days after the programme, many of the fourteen or fifteen houses owned by the group were raided by a large number of police and detectives. Documents were removed and shortly afterwards between two and three hundred of Uriella's patients were visited by police trying to build a case against her. Seven court cases resulted and the Orden Fiat Lux won all of them.

One of the charges was that of supplying natural healing products. Uriella does this on two Sundays per month but not in Germany where it is illegal. She only does this at Egg near Zurich and there is no law against it in that Swiss canton. It was alleged that she made an extortionate amount of money selling these products and Herr Eicke told us that, while it is her only income, the profit she makes is in line with other similar products.

It is not only Uriella who carries out spiritual healing. Herr Eicke and four or five others have been charged in Germany under the Healing Practitioner Law of 1939 which forbids spiritual healing except as part of a religious ceremony. It is also necessary to have a permit to carry out spiritual healing and they had one from 1990 until 1992 when it was cancelled or not renewed by the authorities. The procedure was that some local government officials decided that this law had been broken and ordered the accused to pay a fine of 20,000 DM. It is up to them to contest this order which they have been doing since 1992 as it moves from one level of court to the next.

The negative press, radio and TV coverage they receive is similar in all three German speaking countries. Herr Eicke told us that they are harrassed by the Lutheran and Catholic Churches, as well as the legal and administra-

tive machinery of the government.

Racial Groups

Evidence was taken from only two racial groups but they do between them represent the majority of the non-German racial population of the country. These were the Turks and the Kurds. There were two interesting "sub-groups" - the Yazidis (or Zoroastrians) and an old Greek Orthodox community in Munich. There was anecdotal evidence from a German Muslim that his wife, a British woman of Pakistani descent, was the target of racial harassment and abuse because of her colour.

A further racial community left documentary submissions, but the Committee was unable to interview them. These were the Sinti and Roma groups ("Gypsies").

The common threads that seem to bind the discrimination against them by officialdom together, and it seems to be extreme, are bureaucratic policy and the demand for "tidiness".

There are between 400,000 and 600,000 Kurds living in Germany. As far as official-think is concerned, they must be one of Turkish, Iraqi, Iranian or Syrian nationality. Therefore, if a Kurd is in need of any official papers (birth certificates, marriage certificates, etc.) then he or she must go to the relevant embassy or consulate. Officialdom does not recognise the problem that the person might be wanted by the police or military "back home" - even though they might be accepted as a refugee in Germany - if they were to enter diplomatically sovereign territory (like the Turkish Embassy) then they might be arrested might follow. So, frequently, Kurds take great personal risks just to acquire simple documents for German officials. In a number of cases cited to the Committee, members came to the conclusion that officials' requests were trivial and that sight of such documents was unnecessary.

"Kurds being Turks must therefore also be Muslims; or all Kurds are Muslims anyway" - this is another bureaucratic tidiness that catches out the Yazidis. They are a community of Zoroastrians, but are not recognised as a separate religion in Turkey, Iran, Iraq and Syria where they are classified as Muslims. In Germany, where they try to practice openly as Zoroastrians, they are still officially classified as Muslims, because that is how their countries of nationality define them.

Both Kurdish groups and the Centre for Turkish studies mentioned that it would be a great help if Germany recognised dual nationality. There is no right to "mother-tongue" teaching in German schools, and policies set by

the *Laender* (States) vary. Public libraries do not seem to stock books and audio-visual material in Kurdish, and Kurdish festivals - notably Navroz - are not allowed by the authorities. This last is in part because in the past the extremist group PKK have used the occasion to stage violent demonstrations. But mostly this lack of official provision for the Kurds is because officially, they are Turks (or Iranians or Arabs). A plea was made by one of our witnesses for Islamic instruction in schools to be provided by the local educational authorities as a way to prevent the introduction of extremist ideas.

The three racial groups (Kurds, Sinti-Roma and Turks) all make similar points about the difficulties they experience for them to become German citizens, even if they are now in the third generation (i.e. it was their grandparents who migrated to Germany, for whatever reason - usually for work as *Gastarbeiter* or "guest worker").

This produces insecurity and instability within the communities. It also produces officially sponsored inequities where a third-generation German Turk is forced to go back to Turkey (they are even disparagingly called "*Almanlilar*" - or Germans - in Turkish), because their continuing *Gastarbeiter* status is increasingly viewed as taking jobs away from Germans. As Germany enters ever-deepening recession this is becoming a serious point of friction between the immigrant and "host" communities. A survey reported that over 51 percent of Germans supported the notion that "Germany should be for the Germans."

The Greek Orthodox community whose members we met in München also seem similarly to be the victims of the desire for "tidiness". They do not accept, nor possibly even recognise, the authority of the Patriarch in Istanbul but only that of a Metropolitan in Athens. However, the other Greek Orthodox communities do accept the authority of Istanbul. The Turkish authorities do not seem to care one way or the other how this small community behaves, but the local municipality, and the Roman Catholic Cardinal's office, do. We were told that they would like the community to be absorbed into another Greek Orthodox community further out of the city, and presumably then the church they occupy could revert to being a Roman Catholic one, which it was for 300 years before the mid-1800s.

The Turks report a great deal of discrimination. In this the Kurds (and other Middle Eastern Muslims) can be bracketed with them. It is unclear whether this discrimination, however, is religious, racial or because they are seen as taking jobs that Germans would now love to have.

Meetings with Officials

We asked through official channels for meetings with the Directors of two State Offices and the Director of the Federal Office for the Protection of the Constitution. These come under the State and Federal Ministries of the Interior. In the event we met Dr Schoen, the Director of the Federal Office which is a security organisation charged with protecting the State from extremists on both the left and right of the political spectrum. Frau Kaliner the Head of the Churches and *Sekten* Department of Dr Schoen's Department was also seen. We were a little puzzled because when we tried to press the issues we had come to discuss she said that she has nothing to do with "*Sekten*" only churches.

We also asked for meetings with the Interior Ministry and the Ministry for Youth, Family, Women and the Elderly People's Affairs and with the Enquête Commission but these could not be arranged. It was not necessarily due to short notice because the officials of the Enquête Commission wanted to know if we were their equivalent in the UK. When they discovered we were concerned that a body such as theirs should even exist they declined to meet.

We did meet Dr Meyer-Ladewig of the Justice Ministry. An official from the Ministry for Youth, Family, Women and Elderly People's Affairs was supposed to attend this meeting but was unable to do so. We felt that both meetings were unsatisfactory due to the failure of officials to face up to the difficulties being created for members of these groups by the government, Churches and media in Germany.

CULTURAL DISCRIMINATION

In the Germany of the 1990s, attacks on artists who are members of an unfavoured "Sekte" seem to be gathering pace. The technique employed is a refinement and intensification of the procedure known in Germany by the English word "outing" which is applied to professionals in any field.

Artists have to communicate. All art, unless for the sole and private pleasure of its creator, is a communication, whether it is visual or performance art. We describe later in our report how the concatenation of anti-*Sekten* priests, anti-*Sekten* commissioners, media and creative generators of administrative difficulties homes in on the artist's communication lines where he or she is most vulnerable. Art, of course, was of considerable interest to the authorities in Germany before the war. Recent revelations about the wartime trade in "degenerate art" and art works deemed acceptable find another echo in today's Germany. This was highlighted in a recent publication called *Art as Propaganda* by Stephen Feinstein, Chairman of the Department of History at the University of Wisconsin.⁽¹³⁾

The attackers are really quite sophisticated and approach each *Sekte* with a target specific strategy. For example, Sri Chinmoy organizes marathon runs and musical events. As mentioned in the previous section they recounted instances where concert venues and sporting facilities have been unaccountably closed to them. On one occasion they were told they could not use the showers.

In addition to the artists we interviewed, we have been given documentation which describes quite unacceptable discrimination. Reports in the media about two recent situations highlight the absurdity. In August 1996, as the release of the Tom Cruise film, *Mission: Impossible*, approached, a spokesman of the Youth Union of the CDU issued a statement urging Germans to boycott the film because Tom Cruise is a Scientologist.

The Youth Union of the CDU has issued a booklet comparing "Sekten" with insects which should be killed with a fly swat and this was distributed at a CDU Party conference with the authorisation of the General Secretary of the CDU despite protests from religious groups.

John Travolta, whose film *Phenomenon* was to be released in October '96, was also a target of political forces. He is a member of the Church of Scientology and there were absurd claims that *Phenomenon* was an

attempt to "infiltrate" Scientology ideas into Germany. In fact, the script was written by a non-Scientologist called Gerald DiPego before John Travolta was even considered for the part.⁽¹⁴⁾

Our witnesses included two other artists. One, Gottfried Helnwein, a well-known painter of portraits and cover art, gave numerous examples of discrimination including the absurd demand that he withdraw from an exhibition (where he was showing his collection of original sketches and paintings of Donald Duck) because they said he was a Scientologist, and that, therefore, allegedly made his exhibition unsupportable. He was also required to sign a statement (which he refused to do) saying, in effect, that he denounces the Scientology religion. He stated that he had been systematically banned from exhibiting his work all over Germany and was "socially dead" due to the campaign against him. A few years ago he bought a mediaeval castle as a home and studio. Press reports said that he held a leading position in Scientology and had kidnapped children whom he was keeping at the castle. As a result of this kind of propaganda, he found that galleries with whom he did business would have nothing more to do with him.

Another very well known German artist, the painter Pablo Roehrig, is a member of the Church of Scientology. He has suffered considerably in his professional life because of his membership. He told us that Scientology had been under attack for some time in Germany but that it had become more intensive and much more personal starting in 1990. After he was personally attacked in the media his income halved from the 1991 figure and he had to reduce the staff in his workshop from 22 to 7. There have been media reports that just looking at one of his pictures can "brainwash" someone into becoming a Scientologist.

A very well known German entertainer and TV personality who bought three of his pictures later declared that he did not know Roehrig was a Scientologist when he bought the pictures and publicly distanced himself from the artist. This illustrates the way social pressure is brought to bear on even the associates of members of the targeted groups. The delegation also received documentary evidence of discrimination against other Scientology artists. Chick Corea, the world famous American jazz pianist, was scheduled to give a concert in Baden-Wuerttemberg in 1993 but local government officials banned him from performing in that German state. Other discrimination by political figures followed. During his frequent European tours, Corea used to give about a dozen perform-

ances in Germany. This has been reduced to two offers, at most, from German promoters. He attributes this to the government-backed discrimination campaign against him.

Similarly, a performance in 1993 by a folk group called Golden Bough in the city of Stade was interrupted by a demonstration by the Junge Union of the CDU when they marched on stage with banners to protest that the auditorium was being made available to artists who were Scientologists. The stage was eventually cleared but the concert was severely disrupted and the audience intimidated. This was but one incident in a succession which included several cancelled concerts by different local authorities on the grounds of the musicians' religion. One prominent German folk music magazine listed the names of the members of Golden Bough among other Scientology musicians and urged the public to boycott all performances by Scientologists..

SOURCES OF DISCRIMINATION

From evidence presented to the delegation we came to the conclusion that there were several interconnected and mutually reinforcing sources of discriminatory attacks on the groups we interviewed. These can be distinguished as follows:

A) Government Officials and Political Parties

Responsibility for upholding human rights standards within Germany rests with the German government. International human rights instruments and the German Constitution impose on it the duty to take more than a simply neutral stance but to carry out active measures against discrimination. In fact the government appears to be taking neither course of action. Instead it is actively supporting the discrimination with propaganda, financial and human resources as well as with legal measures.

Within the political and administrative structure there are also "anti-Sekten commissioners" - in German, *Sektenbeauftragter*. Their task is similar to that of their religious counterparts which are covered in detail later in this section. Indeed, and this reflects the closeness of Church and State in Germany, their work mirrors that of the *Sekten* priests/pastors (*Pfarrer*) and the allegations they make are equally extreme and equally vague and unsubstantiated. It was also reported to the delegation that approximately 20% of elected German politicians have trained as priests or pastors.

Although the German Constitution clearly obliges the government to refrain from giving an opinion or judgement about religious matters, these official "anti-Sekten commissioners" are government officials, paid from State finances. They create written material and make public statements which claim to show the public and other officials how to "recognize" members of *Sekten*. Ursula Caberta has been employed by the Hamburg State Interior Ministry to run the "working circle Scientology". Her activities cost the Hamburg taxpayer a million deutschmarks a year. She published a 13 point list of characteristics that would enable one to recognize a Scientologist. This list included such points as "having no friends", "being humourless", "not joining in discussions" and "having frequent short holidays". This also appeared in *Bunte Magazine*.⁽¹⁵⁾

The Bavarian government has created literature for use in schools⁽¹⁶⁾ which claims that Scientologists can be recog-

nized because they are susceptible to sudden changes in body weight and distinctive beard growth.

Scientologists we met could not contain their amusement when shown this list but did point out that in the social climate of Germany today it is almost impossible to make known any religious affiliation other than to the established religions without thereafter experiencing at least some, often extreme, form of discrimination. This was echoed by adherents of all the other religions we spoke to.

Another example of political discrimination is the campaign by the Young Union, the youth wing of the CDU. It published a booklet called "*InSects, No Thanks!*" which depicts members of minority religions as flies being killed by a fly swatter held in the hands of the Young Union. The publication has derogatory, inflammatory and untrue information about minority religions. We have the impression that there are forces at work which are subverting and channelling the idealism of young people as Hitler did through the Hitler Youth.

It is apparent that the German State is spending millions of deutschmarks per year on anti-Sekten personnel, propaganda and related actions, some estimates go as high as 100 million. Our witnesses complained that government officials have no interest in dialogue with members of their groups. They also claimed that official reports on minority groups are completely one-sided and uniformly negative. Several "anti-Sekten brochures" are in preparation by Federal and State governments or parliaments but some of the groups are making legal challenges to their inclusion. The reason for these court actions may be the risk that the protection afforded to individuals by data protection legislation, a cornerstone of German democracy, would be denied to members of the groups included in the "anti-Sekten brochures".

An Enquete Commission (Commission of Inquiry) of the Bundestag has been initiated by Federal Social Democratic Party Member of Parliament Mrs. Rennebach. We were informed that she is both a member of the Lutheran Synod from Berlin and an advisory member of the Board of a German anti-Sekten group called AGPF in Bonn. The Commission is targeting 600 "Sekten" in Germany, amongst them such groups as the Jehovah's Witnesses, Mormons, Anthroposophists and Scientologists. (We heard that

in mid 1995 there was some criticism of the Waldorf Schools founded by Rudolf Steiner, the German philosopher. A major article in *Focus* magazine named them as a *Sekten* school, a sect school).

We were also told by several witnesses that the Enquete Commission has been staffed exclusively with outspoken opponents of religious minorities in Germany who are now acting as "experts" and their clear intention is to see the introduction of new legislation to harrass these "Sekten". On 1st November 1996, history did repeat itself when the State of Bavaria brought into force a measure forbidding Scientologists from holding office as employees of the State government.

Officials of the Ministry of Interior and the Ministry of Justice maintained the position at our meetings that there was no discrimination in Germany and even if it did exist the court system was available to those who felt they were being discriminated against. Their unwillingness to face up to the problem emphasised that this "official position" contrasted sharply with the evidence we were given by all our witnesses. We wish to make no criticism or judgment here about the intrinsic constitutional and legal relationship between Church and State in Germany. However there appears to be cause for concern that certain elements within the Lutheran and Catholic Churches exploit their powerful connections to the government to manipulate the State for their own ends.

B) Documentation Centre in Schleswig-Holstein on Members of Minority Religions

Another example of direct discrimination by government is in the State of Schleswig-Holstein. The State Parliament amended its data protection law in September 1994 ⁽¹⁷⁾ to create a document centre containing information about individuals connected to "Sekten". This law is a specimen of selective legislation which strips away the fundamental privacy rights of members of groups labelled as "Sekten" by excluding them from data protection safeguards enjoyed by all German citizens whilst opening these members to public, social and professional ostracism as well as blacklisting.

In March 1995, the State Parliament published a report entitled "Activities of Sects in Schleswig Holstein". ⁽¹⁸⁾ This report provides information on eight minority religions targeted by the government and details the ominous purpose of the documentation centre. The report states that information collected by the document centre on individuals who are members of the targeted

religions will be shared with federal, state and municipal government offices, social organisations, unions, trade associations and chambers of commerce, churches, private groups, educational institutions and the Parliament. The report also calls for the "education and advanced training of prosecutors and judges regarding targeted religious groups" - actions clearly designed to strip away neutral enforcement and application of the law.

This document collection centre law gives the government the right to collect and disseminate sensitive personal information and expose the identities of individuals associated with minority religions to all strata of society in order to ensure that the government policy of blacklisting and ostracising members of minority religions is effectively implemented. This tactic violates core data protection principles by creating a substructure of second class citizens classified by their philosophy or religious beliefs.

C) "Education and Advanced Training for Prosecutors and Judges" on Minority Religions

The point was made to the Committee by a senior and highly respected member of the British judiciary that in Britain judges attend government funded training courses to develop their understanding and sensitivity on minority/racial matters so that they are not inadvertently causing offence to members of minorities. In Germany we were given a somewhat opposite example in so far as the re-education of judges and public prosecutors has already started. As covered in the previous section the State Parliament of Schleswig-Holstein has called for action to re-educate judges and prosecutors.

In Germany, in-service training has been given a completely new twist. Two lawyers who act for minority groups managed to join a training programme for judges and public prosecutors which was organised and funded by the State government of North Rhine Westfalia, and took place at the Academy of Judges in 1993. This seminar is part of a series and its purpose is to subvert the course of justice and "re-educate" the judges so they fall in line with the government's view on minority religions and groups.

On this occasion the lecturer was Frau Dr. Wettengel, a prominent government "Sekten expert". The "instruction" was very much in the same vein as the government funded documentation referred to in this report. In a wine bar, the evening after the seminar, one of the two lawyers who had attended this seminar was horrified to

hear that the judge in a case in which he was acting as the lawyer for the minority group was discussing his client's case in a jocular fashion with the "Sekten expert".

D) Media

There has been an astonishing volume of media coverage of *Sekten*. VPM reported that the original article which attacked the group, in the weekly journal *Der Spiegel*, was followed by many hundreds of newspaper references to their group, all unfavourable, within the following weeks. Interestingly, the article was repeatedly trailered on TV and radio news in the days prior to publication. They told us that this is most unusual.

Another group reports that it is not unusual to receive several hundred negative articles a week. Just as the officials we spoke to assured us (rather disingenuously we thought) that any group or individual who felt aggrieved could go to court to seek redress so they also said that in Germany there is freedom of the press. This is true, but freedom of the press must include the effective right of reply otherwise it simply becomes the tyranny of the majority view.

All groups we interviewed complained that the media would either alter their statements, take them completely out of context or simply give them no opportunity at all to put their point of view. Their common experience is that the media is interested only in sensationalising and misrepresenting their position and gives preferential and deferential treatment to the "authoritative" voices of the government and the established Churches. This may also ring true for minority groups in other countries but, given the extraordinary volume of negative media coverage of minority groups, the German language press seems to have brought this to an altogether higher level of discrimination which amounts to a propaganda campaign. This is the only description that adequately characterises the sheer volume of one-sided reporting which they described.

Although the right of reply does exist under German law covering the media, it is (as in many countries) restricted to correcting factual errors. From a legal point of view the producers and presenters are generally very careful not to quote any challengeable facts but to express their views as hostile opinion. This is in any case likely to be more effective in damning the group concerned because it creates a powerful negative image in the mind of the reader, viewer or listener. There is no legal remedy against this. Again and again, while in Germany, it was brought home to us the extent to which the functioning of civil society, under any constitution, depends on good

will and good faith. In Germany, in respect of those minority faiths and philosophies whom we interviewed, these are notable by their absence.

Pastor Jones of the Christian Church of Cologne, for example, has reached the point where he refuses to have anything to do with the German press because he can never get any reporter to report him accurately. For accurate reporting of the situation in Germany one has to look overseas as the news story from the New York "Amsterdam News" ⁽¹⁹⁾ shows (see section on Lutheran and Catholic Churches).

An example of how the hatred is spilling over into neighbouring countries is an article from the *Nordschleswiger*, a German language newspaper in southern Denmark. ⁽²⁰⁾ This reads like the sort of hate propaganda that bigots might anonymously push through someone's letterbox. In fact it was the Sunday evening edition of the *Nordschleswiger* from 12th October 1996. In this case the diatribe is directed against Scientologists.

Since 1990 and reunification, cartoons have appeared in German magazines which bear a chilling resemblance to those in *Der Stuermer*, (the Stormtrooper), the Nazi magazine of the 1930s and 40s. ⁽²¹⁾ These cartoons seem to build on stereotypes already present in the minds of the population. It is almost as if some former Nazi black propagandist had been stuck to the wrong side of the wall, waiting nearly half a century to emerge in 1990, and resume plying his trade.

The point here is not that this means the individuals being targeted are going to suffer the same fate as before. It simply establishes that the same emotive images are being used as before and contribute to a social climate where people are readily ostracised.

It should be said that the media in this electronic age has immense power to shape the mind set of a population. Whoever is steering this campaign has lost no opportunity to influence the German people against these, mostly tiny, minority groups. In respect of those we interviewed, this intensive and extensive campaign has been "successful" and the majority of the German people have been led to believe evil of their compatriots.

There is an oppressive conformity of views which reflects the only view about minority religions and philosophies that appears in the media. There is no other explanation for the "fear of contagion" that was so apparent to us. Minority groups have been so reviled for so long that to be publicly associated with such a group or with one of its members is to risk the fate of "social

death". One witness referred to a phrase in Goldhagen's book *Ordinary Germans* in this context.

E) Specific Political Opposition

VPM had done their own investigation on the use of the word "Sekte" and where the discrimination was coming from and have drawn certain conclusions. This is quoted below.

"The term sect is nowadays used as a political weapon mainly by the Marxists to stigmatize opponents (people with other opinions). This method originated in socialist countries and was formulated by Lenin in his writings. The effect of such a stigma is similar to labelling someone as a Fascist (cf the publication by Prof. Helmuth Knuetter "*Die Faschismuskeule*"). This procedure can perhaps be compared to the often used and politically motivated label of racist to brand a political opponent and to distract attention away from a proper discussion on the basis of arguments.

"To stigmatize an organisation as a sect has the effect that no discussion using arguments and factual evidence will take place but that the group or organisation will be outed by society and left without a voice."

F) Lutheran and Catholic Churches

At least 140 anti-*Sekten* priests and pastors or "*Pfarrer*" form a network throughout Germany.⁽²²⁾ Their function is to disseminate unproven, negative, generalized propaganda about any group they choose to categorize as a "Sekte". This network seems to operate throughout German society and passes out a wide variety of printed material accusing the members of these groups of anti-social activities which include "psycho terror," "brain-washing," "mind-control", being a "state within a state" and being a "criminal organisation".

Although as far as we could discover these accusations are not substantiated by any evidence that would support a prosecution, they have been made with such frequency and over such a long period that the German people have apparently come to believe them. This is shown by the way in which ordinary Germans turn on friends and colleagues who have been "outed" as *Sekte* members and thereafter refuse further contact with the "outed" person. If the accusations had any substance, a rash of criminal convictions would long ago have closed down these organisations.

Declining church attendance may be a precipitating factor for the Lutheran and Catholic Churches but the

question has to be asked whether in fact empty churches, or loss of revenue is the greater concern. It would be interesting to discover whether church attendance has fallen faster in recent years as persecution of minorities has increased. The imposition of the 8% solidarity tax to finance reunification was a heavy blow to many German families and it was compulsory, whereas they could opt out of the church tax.

According to the figures given to the Committee in oral and written evidence, the Lutheran and Catholic churches receive about 9 billion DM per annum in church tax. This is levied on individuals by the State at the rate of 5% of the income of church members and is paid to the churches. In addition, the German State pays the churches about 10 billion DM to run hospitals and kindergartens and for the purpose of training their priests and pastors in universities. The Federal Ministry of Defence also pays about 50 million DM to the churches for salaries of priests and pastors servicing the military.

We were told that the churches also own or have shares in insurance companies, banks, publishing houses, breweries, a vineyard and a variety of other commercial activities. The established Churches are also said to be the two largest non-governmental landowners in Germany. If true, it is a little ironic that the anti-*Sekten* priests claim that some of the minority groups we interviewed are really businesses because they publish and sell books or provide courses to spread the word about their faith or philosophy.

If a member of either the Lutheran or Catholic Churches wishes to stop being a member they have to contract out of paying the church tax. This can result in social ostracism, especially in small, rural communities where it might be made public, so church membership remains high. Church attendance, on the other hand, is around 2% (lower than the figures for the Church of England) according to our witnesses from the Charismatic Christian Church of Cologne.

We do of course understand that the established churches are concerned about loss of membership and therefore of income and want to prevent further erosion. However the total membership of the new religions and new denominations are, as far as we could determine, only about 50,000 to 100,000. The Catholic and Lutheran churches between them lost 446,000 members in just one recent year, according to figures available to the Committee.⁽²³⁾ The minority religions simply do not absorb those leaving the established Churches.

There is something medieval about the unjustified and

shortsighted persecution of these very small minority religions and philosophies. According to a children's book we were given in Germany (*Hexen und Hexenwahn*

- Witches and Witch Hysteria -from the *Was Ist Was* - What Is What - series) the area of the former West Germany had, during the 12th and 13th centuries, the highest total of witch burnings at over 15,000.⁽²⁴⁾ The alarming thing about this book was the voyeuristic detachment of the style in which it was written. This attribute also came across in the failure of the officials we spoke to take responsibility for what is being done to these minority religions and philosophies. The parallel between the late 20th Century persecution encountered and the witch hunts of the Middle Ages struck us on more than one occasion. It is highlighted by the title of Professor Loew's book, *Hexen und Hexenjaegern*, (Witches and Witch Hunts) written about the witch hunt against him after he acted in his capacity of scholar for the Unification Church in Germany.⁽²⁵⁾

The New York "Amsterdam News",⁽¹⁹⁾ a Black American newspaper reported a meeting with members of Universelles Leben (Universal Life) a Christian denomination with members in several German towns and cities. This report was alarming when viewed against the backdrop of Germany's 20th Century history. The article contradicts what we were told by the senior civil servants whom we met. The paper's reporter wrote :

"According to [Dr Gert] Hetzel, a lawyer and former Lutheran Protestant, 'Our community began 17 years ago. We are Christians. We are pacifists. We live according to the Ten Commandments and we have never harmed anyone'. However, says Hetzel, the Christian leadership in the Catholic and Lutheran Churches have publicly, verbally brutalized them for a decade, and as a result have created an atmosphere of hatred towards the Universelles Leben community making them the target of misinformed citizens, bigots and right wing gangs.

"There is supposed to be separation of church and state in Germany but in reality church and state are the same' relates [Jeanette] Wood who earns her living as a translator.

"The Universelles Leben has filed a case with the state prosecutor in Munich against various officers of the churches, citing their violation of paragraph 130 of the German Penal Code, which makes it illegal to incite hatred and racism against a person or group and Paragraph 166 which makes it illegal to insult a religious denomination.

"The laws are reminders to Germans that one of Hitler's tactics was to incite hatred towards religious communi-

ties, which eventually resulted in the extermination of six million people."

THE MECHANISM

General Comments

One of the tasks which the Committee set itself was to determine the mechanisms by which a modern, democratic and materially sophisticated state, situated in the heart of Europe, could deviate from the high standards required by the various international instruments to which Germany is a signatory.

The mechanism that allows the persecution we have uncovered to occur has two stages. What we can only describe as propaganda campaigns first soften up the populace and then make it ready to accept huge restrictions on the basic freedoms of these minority groups. The German people apparently do not realise that, by their acquiescence, they also, in the long run, risk sacrificing those freedoms themselves.

The propaganda campaign against minority religions and other groups intensified after reunification. This was the experience of many of our witnesses. We urge academic readers of this report to consider giving this phenomenon detailed study. It would surely be fruitful ground for historians and sociologists. We are puzzled by it. What, of all the things that changed with the tearing down of the Wall, caused this reemergence of tendencies we all hoped had ceased to exist but perhaps suspected were still lurking beneath the surface? Whatever the answer, it is the responsibility of the German government to rein in the forces behind this renewed persecution.

The Wannsee Conference

The calculation and planning behind this propaganda campaign came into even sharper focus when we were provided with an agenda and speakers list for a conference which took place at Wannsee, near Berlin, during the week following our visit.⁽²⁶⁾ Most of the main protagonists of the war on "Sekten" are listed and the purpose of the meeting was to agree on strategy and tactics for dealing with the "Sekte problem". It may have escaped their notice that Wannsee was the place at which the Nazis planned the Final Solution, but then it may not. At the very least, the choice of this location does indicate, we feel, a certain insensitivity.

The conference was held under the patronage of the Bishop of Berlin-Brandenburg and of Norbert Bluem, the Federal Minister for Employment and Social Order, and a Catholic theologian by training. Bluem is also one

of Scientology's most hostile critics. The conference was sponsored by the provincial priests' office for *Sekten* and the "Weltanschauung" - literally worldview or "philosophical" - questions centre of Berlin-Brandenburg in association with the Berlin Dialogue Centre and the Konrad-Adenauer-Stiftung. (*Stiftung* means "foundation". The Konrad-Adenauer-Stiftung propagates the policies of the CDU within Germany and abroad). Since both Norbert Bluem, the Federal Minister for Employment and Social Order and the Conrad-Adenauer Stiftung are involved, one is faced with the inescapable conclusion that the war on *Sekten* which is taking place in Germany is CDU and German government policy.

The propaganda campaign itself has two aspects. First a climate of apprehension has been created in which most Germans have apparently been led to believe that Germany is in danger of being overrun by a collection of Moonies, Oshos, Hindu meditators, Scientologists and Charismatic Christians. The techniques employed to bring about this belief are the standard procedures for sowing disinformation in the minds of the population. During the Nazi era and the Soviet period, and more recently, this has been used to varying degrees by black propagandists in many countries. People who are made anxious are easier to mould to the politician's will. The government itself is fuelling the campaign by publishing propaganda which supports, encourages and reinforces the message.

The Media

It is important to remember that in Germany the extent of media ownership by political parties is significant. From the volume of negative media articles reported by our witnesses it is clear that a sustained and concerted media campaign has increased in intensity since 1990. It is a well-known principle of advertising that the more plays the message gets, the more likely it is to be believed and acted on. If the message telling people to hate and fear certain groups is repeated often enough, it will be believed. The more it is believed, the greater the danger of violent acts by individuals against members of minorities. We have taken evidence of violent acts which may result from this incitement to hatred.

The negative media messages are also reinforced by authority figures in the government and the established Churches. This enhances their effectiveness. Having created a climate of apprehension about *Sekten*, the

propagandists proceeded to the next stage, which is to darken any association with these minority groups to such an extreme degree that anyone discovered to be a member or even anyone associated with a member is damned by association in the popular mind.

Social Pressure

Social pressure of this nature has the result that friends and associates of anyone "outed" as a member of one of these groups are likely to shun them and refuse further contact. It seems as though they are afraid they will themselves be "outed" for not reporting their erstwhile friend to the authorities. A situation has been created in which people are forced by social pressure to ostracise their friends and business associates.

Once the propagandists have achieved this, the infrastructure of repression against these groups can be installed, without protest by the general population, because to speak up against the power of the State, Churches and media in these matters in the Germany of 1996 means to court social and economic destruction.

Academics who are prepared to speak out for reason, for democratic principles and for justice on behalf of members of these minority groups are themselves attacked and accused by the media. In other words, the media fails completely to do an honest job of reporting views which dissent from the prevailing institutional orthodoxy in these matters. It is also failing to encourage the expression of the many different viewpoints which characterize a healthy democracy.

Church Attendance

The figure of 2% we were quoted for church attendance in Catholic and Lutheran Churches by the Charismatic Christians may or may not be accurate but clearly there is a problem for the pastors and priests as there is in most European countries: their flocks are not coming to church on Sundays. Despairing of filling their churches, some priests of the established religions have taken to holding public meetings to denounce the "*Sekten*" and any member of whom they know. These meetings are often held under the auspices of so-called "parents associations". More than one witness said wryly of these groups "Yes, five priests and one parent". The image of parish priests denouncing "*Sekten*" and their members "at the parish pump", as it were, does raise the spectre of their mediaeval precursors denouncing individuals as "heretics" or "witches".

Examples

We end this section of the report with a number of examples. Our focus is on the German government because of its ultimate responsibility for implementing international human rights agreements.

A) Educational indoctrination

A booklet has been written and distributed to teachers by the education authorities in the State of Bavaria.⁽¹⁶⁾ It contains false and derogatory information about various minority groups. Teachers are instructed to use the booklet to warn their pupils about the listed *Sekte*. This has already had the result that school children have been encouraged to draw pictures of supposed *Sekte* members cutting open people's heads with a chainsaw, taking out their brains and washing them in a washing machine. This is a crude representation of the academically discredited notion of "brainwashing".

B) Civil Service

The Bavarian State has determined that, from the 1st November 1996, anyone who is employed by the State of Bavaria must sign a form⁽²⁷⁾ which states that they are not a member of the Church of Scientology and have never done any courses in Scientology. If people refuse to sign the declaration they will be prohibited from being employed by the State. It is not clear whether this applies to existing civil servants or to new applicants only.

We note that on April 7th 1933, shortly after the Nazi government came to power, it enacted one of its first measures against the Jews when it passed the Civil Service Reconstruction Law which excluded Jews from the Civil Service and from practicing as lawyers. The Federal government should be restraining the State governments from such actions. The fact that it is not doing so, but is giving a lead by its own discriminatory policies demonstrates the lack of moral leadership from national figures and their failure to appreciate the dangers of the present situation.

C) *Sekte*-filters

A "*Sekte*-filter" has also been issued by the Berlin administration.⁽²⁸⁾ It requires every supplier of goods or services to the state government to sign a declaration that they are not a member of the Church of Scientology and have not done any Scientology courses. The State of Hamburg has adopted a similar declaration with the purpose of excluding Scientologists from business in-

teraction, not only with the government but also with private sector organisations.

D) Teachers

Two teachers in Hamburg who are members of VPM have been told they will not be given *Beamte* (permanent civil servant) status. This follows the circulation of names of those attending VPM conferences to state education departments by other German authorities. This *Beamte* status confers significant benefits on the holder and to deny it after the usual two years' probationary period is completely unheard of.

E) Enquete Commission

The Bundestag has set up a parliamentary commission (the Enquete Commission) to propose a catalogue of measures including passing legislation against "*Sekten*" in Germany. The Federal Parliament is planning to publish a brochure which warns the public about various new religions or denominations. Several groups have ongoing court actions to force the government to take their name off the list. We understand about twenty groups are listed whilst the Enquete Commission is considering about 600 religious groups to be affected by its future recommendations. We are concerned that the groups listed may lose the protection of the data protection laws which we discuss elsewhere.

The membership of the Enquete Commission totals eighteen or twenty. Half are members of the Bundestag and half are "*Sekten experts*" appointed by the Bundestag. There is no representative of any minority religious group nor any neutral academic who has studied the sociology of religion as we understand the subject in Britain or America. None of the 600 minority groups being considered has been asked to present their case. They are thus excluded from the parliamentary debate or process. (*Audi alterum partem*).

F) Private Sector Indoctrination by Officials

In May of this year, "anti-*Sekten* commissioner" Ursula Caberta, of the Hamburg State Interior Ministry, and Brigitte Dewald-Koch of the Ministry for Families, the Elderly, Youth and Women of Rhineland-Palatinate were listed as speakers at a management counselling conference organised by a company called Management Circle.⁽²⁹⁾ Its purpose was to warn business people how to detect "*Sekte* members" in their company. This shows clearly how the government is actively pushing its

"dangerous *Sekten*" message into the private sector. The head of the Lutheran working group for religious and world outlook (*Weltanschauung*) questions in Frankfurt, Kurt-Helmuth Eimuth, also spoke. The religious minorities targeted at this conference were the Jehovah's Witnesses, Universal Life and Scientology. Two well-known German companies, Lufthansa and BASF, also supplied speakers.

After the coffee break on 21st May 1996 there was a practical example of how the Warsteiner Brewery dealt with the "scurrilous" rumour that they employed some people who are members of a "*Sekte*". The session title translates as "How does a company react to character assassination and defamation", ie how does a company deny that it employs members of *Sekten*. From the subsection headings it is clear that an intensive public relations campaign which included national advertising was needed to restore public confidence in the brewery's products.

We note from this that the government is inextricably involved in advising the private sector how to deal with an imaginary danger about which the government itself has done much to generate widespread paranoia. The organiser of the conference, Dr Steven Goldner, has clearly tapped into a lucrative new market for which he personally helped to establish a "demand", and for which he now offers his "solution" to the business community.

CONCLUSIONS

We are astonished at the millions of deutschmarks and the thousands of man hours that are being poured into this campaign against minority religions and VPM. Our inescapable conclusion is that significant elements within the state and church apparatus have been brought to bear on these minority religions and philosophies, in an attempt to destroy them.

It dawned on us that we can only make sense of this intense effort if it is the prelude to something else, something far bigger and more important. We were unable to work out in the short time available what this bigger project may be. We hope that our report will stimulate further research. It may also be that readers of the report will identify a number of other interesting areas. We also hope that the results of this research will inform policy making in Europe and North America and set a trend towards a more tolerant, pluralist society in Germany worthy of the description, "democracy".

In the section on Sources of Discrimination we described the *Sekte* member documentation centre in Schleswig-Holstein. If one considers the legislation to strip away legal protection under Germany's data protection legislation from members of religious minorities, as well as the further step of establishing the documentation centre, for which it is clearly "paving" legislation, it is hard to resist the conclusion that malice is intended towards the groups and their members. We feel this is a serious indication of declining political and moral standards. It is a signal that the population has been successfully prepared to accept the installation of the infrastructure of repression.

Looking at the pattern of official discrimination as a whole, one either has to side with the German government and the network of anti-*Sekten* priests and anti-*Sekten* commissioners - against all mainstream academic opinion worldwide in the fields of the sociology of religion and social anthropology - or one must conclude that, to borrow from Shakespeare, there is something rotten in the state of Germany.

Considering

- a) the cancellation of provisions of data protection legislation in respect of members of certain religious minorities,
- b) the establishment of the Schleswig-Holstein documentation centre,

c) the holding of a major conference to coordinate political and media harrassment of *Sekten*,

d) the creation over twenty years of the network of anti-*Sekten* priests/pastors and anti-*Sekten* commissioners,

e) the similarities between the list of *Sekten* banned during the thirties and forties and those which the present German authorities are targetting,

f) the continuing and intensely hostile media campaign, in a country where the media are largely owned by political parties,

f) the establishment of a Commission of the Bundestag to publish a list of proscribed *Sekten*, a list which may be pertinent to item a) above,

g) the active encouragement given to the whole process by senior government and church leaders,

we have concluded that Germany is beginning to tread a dangerously similar path to that which she has already trodden once this century.

We end this report with an urgent plea for dialogue based on facts, reason and the desire to advance the democratic process. We hope that the Committee's visit to Germany and our report will focus the attention of the International Community on what is taking place there. There is already disquiet in international human rights organisations. As this report goes to print, the latest UN Human Rights Committee Report has just been published. It expresses concern about the exclusion of members of some religious minorities from the Civil Service in certain *Laender* (States).

It is vital that the German government confronts the reality of what is happening and behaves according to internationally accepted norms of democracy. In the Committee's view, the situation has degenerated beyond the point where private initiatives will be adequate to rectify it. It needs the concerted attention of all the democratic nations.

We would like to emphasise that nowhere in our report do we suggest that events will inevitably follow a similar pattern to that of the thirties. That would be unthinkable and, against the historical background of the 20th Cen-

tury, quite impossible. However there are unquestionably comparisons that can be drawn regarding the persecution of minorities and these are of considerable concern to the Committee.

In reality, the build up to the Holocaust lasted nearly as long as the horrific events which took place from 1938 to 1945. During that time the propaganda machine rolled and the population was prepared, carefully and systematically, to accept the final solution. We have been struck by the parallels, not with the obscene horror of the terrible fate which eventually came about, but with the preparatory phase. We are left with the uneasy feeling that the population is being prepared, systematically and carefully, for some kind of total exclusion of these minority groups from Germany.

It is evident that elements within Germany are progressively increasing the pressure in their struggle against minority religions and philosophies and, to our mind rather lamely, justifying each new increase in pressure as the months go by. These elements may be hoping and calculating that the survival of these minority groups is of insufficient concern or importance to the rest of the world for any voices of protest to be raised outside Germany.

In the Committee's view it would be extremely unwise for the members of any ethnic or religious minority, not immediately targeted, to shrug their shoulders and thank the Lord they are not in the firing line, this time. We should remember Pastor Niemoeller's famous words: *"When the Nazis came for the Communists I said nothing; I was not a Communist. When they came for the Social Democrats I said nothing; I was not a Social Democrat. When they came for the Catholics I did not protest; I was not a Catholic. Then they came for me but there was no one to speak up for me".*

The German government is not only failing to fulfill its obligations to protect the rights of minorities under the *European Convention on Human Rights* and the *International Covenant on Civil and Political Rights*, it is also directly responsible for fostering a climate of intolerance against them. Moral leadership is essential to discharge this responsibility but is manifestly absent at present. On the contrary the government is leading a crusade against minority religions and ideas. The consequences of this process will inevitably be destructive for Germany as a modern democratic state and the

members of the committee undertake to maintain a watching brief on the situation.

We also note that in September 1996, the former Federal Minister of Justice, Sabina Leuthheusser-Schnarrenburger, an F.D.P. member, criticised measures proposed specifically against Scientologists as a tactic to set aside "constitutional principles, the rule of law, [and] the restriction of the authority of the State." In other words, the former Federal Justice Minister is saying that the attacks against the *Sekten* are simply a device to dismantle constitutional safeguards for all Germans. This is a very powerful statement made against her former colleagues in Helmut Kohl's cabinet. In the social conditions prevailing in Germany her stand for democracy shows great strength of character.

The purpose of our report is to provide constructive criticism and achievable recommendations in order that the German government can ensure that the necessary improvements occur. European nations are moving closer and closer to each other and it is important that matters such as those we have brought to light are completely resolved so that Europe can leave the nightmare of the past behind and enter the 21st century on a strong, democratic foundation.

Endnotes

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